IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 6343 of 1999

Between:

A. Raghunath Reddy, S/o. Rami Reddy, Aged 47 years,
Occ: Junior Warrant Officer, Indian Air Force,

At Mysore, R/o. Gopanpally Village, Devarkadra Mandal,
Mahabubnagar District.

PETITIONER

AND

The Sub-Registrar,
Atmakur, Mahabubnagar District.

RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus directing the Respondent to receive and register the sale deed executed by the petitioner in respect of assigned land measuring Ac.3-20 gts in the Sy.No.177/10 situated at Nagaram village, Devarkadra Mandal, Mahabubnagar District.

Counsel for the Petitioner: MR.VENKATA RAM REDDY

PANDUGA

Counsel for the Respondent: GP FOR REVENUE

The Court made the following :

ORDER:

The petitioner joined Indian Air Force on 21.8.1978 and working as Junior Warrant Officer at Basic Training Centre, Railway Work Shop, Mysore. It is averred that the Government of Andhra Pradesh, in view of the fact that his family is a poor family has assigned Ac.3.20 guntas of dry land from out of the Sy. No. 177/10 situated at Nagaram village of Devarkadra Mandal, vide proceedings dates 5.12.1987 and since then he has been in possession of the same and cultivating the land. It is further averred that his wife frequently fells ill and he has to perform the marriage of his elders and the other daughters educated and, as such, being unable to maintain the family, he entered into an agreement of sale of the above assigned land, but the Sub-Registrar, Atmakur, who is the Registering Authority, has refused to register the sale deed inasmuch as the sale deed schedule land is an assigned land. Therefore, the petitioner filed this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for the Revenue.

The relief sought for in this writ petition, cannot be granted for the simple reason that the assigned land cannot be alienated and it is contrary to the conditions of assignment. Consequently, the writ petition fails and is accordingly dismissed. No order as to costs.

Elipe Dharma Rao, J.

June 9, 2005

MAS.

To

1. The Sub-Registrar,
Atmakur, Mahabubnagar District.

2. Two CCs to the Government Pleader for Revenue, A.P. High

Court Buildings, Hyderabad.

3. 2 CD copies

*Form-NIC-OGS/WP{**SUNITHA**}*